

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS, BOSTON DIVISION**

YVONNE LESTER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

EVERQUOTE, INC., f/k/a AdHarmonics,
Inc., A Delaware Corporation,

Defendant.

Case No.: 1:16-cv-10651

Hon. Mark L. Wolf

STIPULATION OF DISMISSAL PURSUANT TO FED. R. CIV. P. 41

Plaintiff Yvonne Lester and Defendant EverQuote, Inc. f/k/a AdHarmonics, Inc. (together, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), to the dismissal *with prejudice* of Ms. Lester’s individual claims and *without prejudice* of the putative class’s claims. In support of the instant stipulation, the Parties state as follows:

WHEREAS, on April 1, 2016, Ms. Lester filed her class action complaint (Dkt. 1);

WHEREAS, on June 29, 2016, Defendant filed its answer (Dkt. 8);

WHEREAS, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) the Parties may stipulate to the dismissal of this action without a Court order;

WHEREAS, the Parties have conferred and agreed to stipulate to the dismissal *with prejudice* of Ms. Lester’s individual claims against Defendant in this action;

WHEREAS, the Parties have further conferred and agreed to stipulate to the dismissal *without prejudice* of the putative class’s claims against Defendant in this action;

WHEREAS, the Parties have further conferred and agreed that this dismissal does not preclude Ms. Lester from participating in a class action against any other defendant arising out of

the same facts, events, or circumstances;

WHEREAS, the Parties shall each bear their own attorneys' fees and expenses incurred in any way related to the litigation of this action;

NOW THEREFORE, the Parties hereby STIPULATE and AGREE as follows:

1. Plaintiff Lester's individual claims against Defendant in this action shall be dismissed *with prejudice*;
2. The claims of the putative class in this action shall be dismissed *without prejudice*;
3. The Parties shall each bear their own attorneys' fees and expenses incurred in any way related to the litigation of this action.

IT IS SO STIPULATED.

Respectfully submitted,

MIRABELLA LAW LLC

Dated: January 19, 2017

/s/ Erica Mirabella

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**Counsel for EVERQUOTE, INC., f/k/a
AdHarmonics, Inc.**

Dated: January 18, 2017

/s/ Mathilda S. McGee-Tubb

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* *Pro hac vice* application to be filed.

CERTIFICATE OF SERVICE

I, Erica C. Mirabella, hereby certify that on January 19, 2017, I caused to be served the above and foregoing *Stipulation of Dismissal Pursuant to Fed. R. Civ. P. 41* by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the court's CM/ECF electronic filing system.

/s/Erica Mirabella

Erica C. Mirabella